

1                                   REGULAR MEETING OF THE ELBERTA VILLAGE COUNCIL  
2                                   401 FIRST STREET (COMMUNITY BUILDING) ELBERTA MI. 49628  
3   SEPTEMBER 17, 2015  
4   7:00 PM  
5

6 CALL TO ORDER at 7:00 pm

7 PLEDGE OF ALLEGIANCE

8 ATTENDANCE: JOYCE GATRELL   X   KEN HOLMES   X   DIANE JENKS   X   HOLLY  
9 O' DWYER   X   BILL SOPER   X  

10 APPROVAL OF MINUTES: Motion by Soper to approve Minutes of August 20, 2015 Regular  
11 Council Meeting as amended. Supported by O'Dwyer. All Ayes. Motion Carried

12 APPROVAL OF AGENDA: Motion by O'Dwyer to Approve Agenda. Supported by Soper. All  
13 Ayes. Motion Carried.

14 PUBLIC COMMENT: McPherson's asked about the status of their issue with the sewer line and  
15 whether a survey has been ordered. Response from Jenks was that calls are into surveyors to  
16 schedule. Jenks agreed to notify McPherson's when the survey is scheduled.

17 CORRESPONDENCE - O'Dwyer read in a letter from Thomas VanBrocklin requesting relief  
18 on the water shut-off date. (attached) Motion by Holmes to have the BFA review the bill and  
19 made a decision. Motion supported by O'Dwyer. Roll Call: Gatrell - nay, Holmes - aye, Jenks -  
20 aye, O'Dwyer - aye, Soper - nay. Motion carried.

21 Motion by Gatrell to not support renewable gas with addition to DTE bill. Supported by  
22 O'Dwyer. Roll Call: Gatrell - aye, Holmes - aye, Jenks - aye, O'Dwyer - aye, Soper - nay.  
23 Motion carried

24 TREASURER REPORT AND APPROVAL OF BILLS: Motion by O'Dwyer to approve the  
25 Bills. Supported by Gatrell. Roll Call: Gatrell - aye, Holmes - aye, Jenks - aye, O'Dwyer - aye,  
26 Soper - aye. Motion carried

27 OLD BUSINESS

28           Code Enforcer. Jenks requested that it be on the agenda for the October Regular Council  
29           Meeting.

30 AGENDA

31       1. STATUS OF WATER PROJECT - Fleis & Vandenbrink was selected to create USDA  
32       loan application. Motion by O'Dwyer to appoint Cathy Anderson as the Project Manager  
33       for the 2015-2016 Water Storage Capital Improvement Project. Supported by Holmes.  
34       Roll Call: Gatrell - aye, Holmes - aye, Jenks - aye, O'Dwyer - aye, Soper - aye. Motion  
35       carried

36       2. STATUS OF SEWER PROJECT - Motion by O'Dwyer to appoint Cathy Anderson as the  
37       Project Manager for the 2015-2016 Lincoln Avenue Sanitary Sewer Capital Improvement  
38       Project. Supported by Holmes. Roll Call: Gatrell - aye, Holmes - aye, Jenks - aye,  
39       O'Dwyer - aye, Soper - aye. Motion carried

- 1 3. ELSS MANAGEMENT AGREEMENT & RENTAL CONTRACT. Motion by Gatrell  
2 to approve update and renewal of ELSS Management Agreement with Kristi Mills.  
3 Supported by O'Dwyer. Roll Call: Gatrell - aye, Holmes - aye, Jenks - aye, O'Dwyer -  
4 aye, Soper - aye. Motion carried. Motion by O'Dwyer to approve updated ELSS Rental  
5 Agreement. Supported by Holmes. Roll Call: Gatrell - aye, Holmes - aye, Jenks - aye,  
6 O'Dwyer - aye, Soper - aye. Motion carried
- 7 4. 2015 DEFICIT ELIMINATION PLAN RESOLUTION (attached). Motion by O'Dwyer  
8 supported by Holmes to approved and adopt the 2015 General Fund Deficit Elimination  
9 Plan Resolution. Roll Call: Gatrell - aye, Holmes - aye, Jenks - aye, O'Dwyer - aye,  
10 Soper - aye. Resolution Adopted. Motion by O'Dwyer supported by Holmes to approve  
11 and adopt the 2015 Parks Fund Deficit Elimination Plan Resolution. Supported by  
12 Holmes. Roll Call: Gatrell - aye, Holmes - aye, Jenks - aye, O'Dwyer - aye, Soper - aye.  
13 Resolution adopted.
- 14 5. BUDGET AMENDMENTS. Motion by Holmes and supported by O'Dwyer to approve  
15 the Budget Amendment for the Water and Sewer Project. Roll Call: Gatrell - aye,  
16 Holmes - aye, Jenks - aye, O'Dwyer - aye, Soper - aye. Motion carried. Motion by  
17 Gatrell and supported by O'Dwyer to approve the Budget Amendment for the DEP. Roll  
18 Call: Gatrell - aye, Holmes - aye, Jenks - aye, O'Dwyer - aye, Soper - aye. Motion  
19 carried.
- 20 6. FDVCT GRANTS. Motion by O'Dwyer supported by Soper to authorize submittal of  
21 two FDCVT grant applications; one for Water Storage Security Improvements and one  
22 for ELSS Repairs and Improvements. All ayes. Motion Carried.
- 23 7. TRAVEL POLICY. Motion by Holmes supported by O'Dwyer to approve the Village  
24 Travel Policy, Policy #2015-002 as amended. All Ayes. Motion Carried.
- 25 8. TREASURER'S PERFORMANCE REVIEW. Gatrell noted that Treasurer received a  
26 review at the September 9, 2015 meeting of the Employee Relations Committee. Gatrell  
27 read in the committee meeting minutes (attached).
- 28 9. CLERK AND TREASURER SALARIES. Motion by Soper supported by Holmes to  
29 adopt the Clerk and Treasurer Wage Resolution (attached). Roll Call: Gatrell - aye,  
30 Holmes - aye, Jenks - aye, O'Dwyer - nay, Soper - aye. Resolution adopted.

31 DEPARTMENT AND COMMITTEE REPORTS:

32 COUNTY COMMISSIONER Gary Sauer – Finalized plans for summit to be held on October 30  
33 in the lower level of the Health Department from 8 am - 4 pm. Topics will be Economic  
34 Development (am), Emergency Management (pm) and Trails (pm). The County is negotiating  
35 union contracts. Benzie has five unions, only one settled so far.

36 DPW & ZONING ADMINISTRATION Ken Bonney - New sidewalk was completed in 600  
37 block of Lincoln Ave. Well No. 3 was struck by lightning on Sept 2. Insurance claim has been  
38 submitted. Still trying to set date for Crapo Street Survey. Noted that Village will need to get  
39 ash trees taken down on Village property.

40 PLANNING COMMISSION Diane Jenks - written report submitted, no discussion

- 1 BLUA - FIRE DEPT. Ken Holmes – verbal report given
- 2 BFA. Holly O'Dwyer - no report. BFA will meet on Friday September 18, 2015 at 6:30 pm in
- 3 the Village Office to consider Mr. VanBrocklin's request.
- 4 PARKS & REC Bill Soper – Trail clean-up at EDNA is scheduled for Saturday September 19,
- 5 2015 from 10 am to noon. P&R is ordering bike racks to go in Waterfront Park, Penfold Park,
- 6 and at the south end of Lincoln Avenue at the EDNA entrance. A beach clean-up is scheduled
- 7 for October 3rd.
- 8 PUBLIC COMMENT
- 9 Ken Holmes requested that the issue of Fireworks be on the October Regular Council
- 10 Meeting agenda
- 11 Motion to adjourn by O'Dwyer, supported by Holmes. All Ayes. Meeting adjourned at 8:26 pm.

Catherine M. Anderson  
Village Clerk

Hi

my name is Thomas VANBROCKLIN  
I received a shut off for my water  
today on Sept. 15. 2015. I am requesting  
more time to get this paid. my Reasons  
ARE listed here. a 7 day shut off is  
not enough time for me to seek ~~help~~<sup>help</sup>  
with this bill. I am a Severe diabetic  
raising my two children Riley 5 +  
willis 14 by myself without a mother  
for them. I have had major health  
problems since Oct. 2014. I almost  
died in Oct + again in Dec. 2014. I  
was critical for 10 days + almost  
didn't make it. I work as much as  
I can. About 27-32 hrs per week.  
I intend to pay this bill. I can  
pay 1/2 of it this Fri on Sept 18 +  
I am requesting until Oct. 3 to pay  
the second half. my water bills  
have been running extremely high +  
I am doing what I can to reduce  
how much they are. Please let me  
have this agreement. I will pay it  
on the dates I have written in this  
letter.

Sincerely  
Thomas Van Brocklin

I will try not to ever fall behind  
on this bill again when caught up.

**Village of Elberta Council Resolution and Multiple Year Deficit Elimination Plan:**

WHEREAS the Village of Elberta's General Fund had a \$345,044 deficit fund balance on March 1, 2015;  
and

WHEREAS, Act 275 of the Public Acts of 1960 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury;

NOW THEREFORE, IT IS RESOLVED that the Elberta Village Council adopts the following as the Village of Elberta General Fund Deficit Elimination Plan:

	2015	2016	2017	2018	2019
<b>Fund Balance (Deficit) 1-Mar</b>	\$ (645,044)	\$ (601,046)	\$ (429,245)	\$ (320,426)	\$ (45,180)
<b>Revenue</b>					
Property Taxes	\$ 73,762	\$ 75,237	\$ 76,742	\$ 70,277	\$ 79,842
State Sources	\$ 43,352	\$ 43,000	\$ 44,000	\$ 45,000	\$ 46,000
Licenses & Permits	\$ 3,300	\$ 3,465	\$ 3,636	\$ 3,820	\$ 4,011
Charges for Services	\$ 48,649	\$ 50,108	\$ 51,612	\$ 53,160	\$ 54,755
Interest & Rents	\$ 88,000	\$ 76,000	\$ 78,280	\$ 80,628	\$ 83,047
Other Revenue	\$ 3,000	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Sale of Property	\$ -	\$ 60,000		\$ 170,000	\$ -
<b>Total Revenue</b>	<b>\$ 260,063</b>	<b>\$ 310,310</b>	<b>\$ 256,772</b>	<b>\$ 433,385</b>	<b>\$ 270,155</b>
<b>Expenditures</b>					
Salaries and Wages	\$ 47,312	\$ 50,861	\$ 54,675	\$ 58,776	\$ 63,184
Buildings & Grounds	\$ 33,881	\$ 37,209	\$ 40,996	\$ 45,095	\$ 49,505
Public Safety	\$ 3,675	\$ -	\$ -	\$ -	\$ -
Contractual Services	\$ 31,010	\$ 26,000	\$ 29,400	\$ 30,870	\$ 32,414
Supplies	\$ 16,211	\$ 16,697	\$ 17,198	\$ 17,714	\$ 18,246
Other Services	\$ 3,183	\$ 3,183	\$ 3,183	\$ 3,183	\$ 3,183
Capital Outlay	\$ 39,250	\$ -	\$ -	\$ -	\$ -
Other Expense	\$ 1,500	\$ 2,500	\$ 2,500	\$ 2,500	\$ 2,500
Liabilities	\$ 40,000	\$ -	\$ -	\$ -	\$ -
<b>Total Expenditures</b>	<b>\$ 216,065</b>	<b>\$ 138,510</b>	<b>\$ 147,952</b>	<b>\$ 158,139</b>	<b>\$ 169,131</b>
<b>Fund Balance (Deficit) 28-Feb</b>	<b>\$ (601,046)</b>	<b>\$ (429,245)</b>	<b>\$ (320,426)</b>	<b>\$ (45,180)</b>	<b>\$ 55,844</b>

BE IT FURTHER RESOLVED that the Elberta Village Clerk submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

Adopted and approved this 17th day of September 2015.

  
Village Clerk

**Village of Elberta Council Resolution and Deficit Elimination Plan for the Parks Fund**

WHEREAS the Village of Elberta's Park Fund had a \$15,197 deficit fund balance on March 1, 2015; and

WHEREAS, Act 275 of the Public Acts of 1980 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury;

NOW THEREFORE, IT IS RESOLVED that the Elberta Village Council adopts the following as the Village of Elberta Parks Fund Deficit Elimination Plan:

	2015	Notes
<b>Fund Balance (Deficit) 1-Mar</b>	\$ (15,197)	In June 2015 the Elberta Village Council Amended the budget to bring the Village Parks Revenue and Expenses into the General Fund.
<b>Revenue</b>		The revenues and expenses associated with operating the Elberta Life Saving Station and maintaining most of the village public spaces were moved into the General Fund.
Parks & Recreation	\$ 10,750	
State Sources	\$ 400	
Licenses & Permits	\$ -	The Activities remaining in the Parks fund are exclusively those operated by the Parks and Recreation Commission including the non-profit Farmers Market, fundraising activities, special project
Interest & Rents	\$ 9	
General Fund	\$ 37,540	expenses, and management of the Elberta Dunes South Natural Area, which is supported by an endowment
<b>Total Revenue</b>	<b>\$ 48,699</b>	
<b>Expenditures</b>		
Salaries and Wages	\$ 1,241	
Buildings & Grounds	\$ 200	
Supplies	\$ 790	
Other Services	\$ 2,595	
Capital Outlay	\$ 10,779	
Other Expenses	\$ 755	
<b>Total Expenditures</b>	<b>\$ 16,360</b>	
<b>Fund Balance (Deficit) 28-Feb</b>	<b>\$ 17,141</b>	

BE IT FURTHER RESOLVED that the Elberta Village Clerk submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

Adopted and approved this 17th day of September, 2015

  
Village Clerk

Wednesday September 9<sup>th</sup>

6:00 P.M.

Meeting of the Human Relations Committee

Meeting was called to order by Joyce Gatrell Committee Chair.

Present were Diane Jenks, Joyce Gatrell, Art Melendez and Rosemary Tanner.

Mary has requested an increase in pay as well as a 20 hour work week.

After much discussion and consideration of the Board and since Mary did not have a yearly interview for her hard work for the Village the Boards consensus is as follows:

1. Treasurer Mary Kalbach will get a raise in pay to \$15.00 per hour effective September 18<sup>th</sup> at a rate of \$300.00 per week.

2. Recommendation from employee relations : anything above regular Job description for Clerk or Treasurer would be compensated at an hourly wage per general law village.

Motion by Joyce Gatrell to recommend we raise Mary's salary to \$15.00 an hour at 20 hours a week. Second by Art Melendez. Motion carried.

3. Consensus of the Human Relations Committee to make the Clerk and Treasurers positions a Salaried position at a 20 hour work week with any extra hours above regular office duties paid at an hourly wage.

Motion by Rosemary Tanner to make these positions salaried at a 20 hour work week with extra hours considerations. Second by Art Melendez.

*Motion carried*

Meeting adjourned by Joyce Gatrell at 7:00 P.M.

September Regular Meeting of the Elberta Village Council

Clerk and Treasurer Wage Resolution

WHEREAS the Village of Elberta is operating in a deficit condition with reduced hours and pay for the Village Clerk and Village Treasurer

WHEREAS the Village operations may require additional effort from the Village Clerk and Treasurer to perform activities above and beyond those specified in the Michigan General Law Village Act

NOW THEREFORE LET IT BE RESOLVED that the Village Clerk is a salaried position with compensation of \$16640 per annum representing a nominal 20 hours per week for 52 weeks of the year. Such compensation is for duties pursuant to MCL 64.5-64.8. Village work performed in addition to the duties specified in MCL 64.5-64.8 shall be compensated at \$16/hr prorated for each 1/4 hour.

NOW THEREFORE LET IT BE RESOLVED that the Village Treasurer is a salaried position with compensation of \$15600 per annum representing a nominal 20 hours per week for 52 weeks of the year. Such compensation is for duties pursuant to MCL 64.9-64.10. Village work performed in addition to the duties specified in MCL 64.9-64.10 shall be compensated at \$15/hr prorated for each 1/4 hour.

Adopted and approved this 17th Day of September, 2015

  
Village Clerk